

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KIARA WRIGHT-HICKS,

Case No.: 2:23-cv-00621-APG-BNW

Plaintiff

Order Accepting Report and Recommendation and Dismissing Case

V.

TROPICAL SMOOTHIE CAFÉ LLC,

[ECF No. 11]

Defendant

8 On August 17, 2023, Magistrate Judge Weksler recommended that I dismiss this case
9 without prejudice because plaintiff Kiara Wright-Hicks did not file a second amended complaint
10 by the given deadline. ECF No. 11. The plaintiff did not object. Thus, I am not obligated to
11 conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring
12 district courts to “make a de novo determination of those portions of the report or specified
13 proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114,
14 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings
15 and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

16 I THEREFORE ORDER that Magistrate Judge Weksler's report and recommendation
17 (ECF No. 11) is accepted and the plaintiff's amended complaint (ECF No. 8) is dismissed
18 without prejudice. The clerk of court is instructed to close this case.

DATED this 6th day of September, 2023.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE